

**SUPREME COURT MINUTES
WEDNESDAY, APRIL 20, 2005
SAN FRANCISCO, CALIFORNIA**

S012945

PEOPLE v. DAVIS (STANLEY BERNARD)
Supplemental briefing ordered

The “Request for Leave to File Supplemental Reply Brief,” filed April 14, 2005, is hereby granted.

George, C.J., was absent and did not participate.

S131126

A096635 First Appellate District,
Division Five

PEOPLE v. NAWI
Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Wilson*, S130157 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

George, C.J., was absent and did not participate.
Votes: Baxter, A.C.J., Kennard, Werdegarr,
Chin, Brown, and Moreno, JJ.

S131482

D042877 Fourth Appellate District,
Division One

PEOPLE v. SHAW
Review granted/briefing deferred (rule 29.1)

Respondent’s petition for review
GRANTED.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Black*, S126182, and *People v. Towne*, 125677 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Appellant’s petition for review denied.

George, C.J., was absent and did not participate.
Votes: Baxter, A.C.J., Kennard, Werdegarr,
Chin, Brown, and Moreno, JJ.

S132219

B171066 Second Appellate District,
Division Eight

PEOPLE v. BELL

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Black*, S126182, and *People v. Towne*, 125677 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

George, C.J., was absent and did not participate.
Votes: Baxter, A.C.J., Kennard, Werdegar,
Chin, Brown, and Moreno, JJ.

S132287

H027044 Sixth Appellate District

PEOPLE v. PATTON

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Black*, S126182, and *People v. Towne*, 125677 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

George, C.J., was absent and did not participate.
Votes: Baxter, A.C.J., Kennard, Werdegar,
Chin, Brown, and Moreno, JJ.

S130387

B179043 Second Appellate District,
Division Four

GLEE (PATRICK W.) ON H.C.

Petition for review denied

George, C.J., was absent and did not participate.

S131010

B180427 Second Appellate District,
Division Three

SMART (LENELL) ON H.C.

Petition for review denied

George, C.J., was absent and did not participate.

S131056

A108095 First Appellate District,
Division One

DOSS (STEVEN) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S131155

B180337 Second Appellate District,
Division Eight

McCULLOUGH (FRED) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.
Brown, J., was recused and did not participate.

S131172

B180271 Second Appellate District,
Division Two

LASHMETT (JEFFREY) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S131181

B180124 Second Appellate District,
Division Eight

CHAVEZ (ANTHONY) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S131186

B179926 Second Appellate District,
Division Six

SOZA (ARNULFO) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S131187

B180601 Second Appellate District,
Division Seven

CLEVELAND (PAUL) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S131189

A108746 First Appellate District,
Division Two

MCCAULEY (STEVEN) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S131242

G034838 Fourth Appellate District,
Division Three

TRUJILLO (JESUS) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S131247

A101665 First Appellate District,
Division One

PEOPLE v. LEAAETOA
Petitions for review denied

George, C.J., was absent and did not participate.

S131252

D043160 Fourth Appellate District,
Division One

PEOPLE v. WILLIAMS
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S131255

A108791 First Appellate District,
Division Two

TYSON (TIMMY RAY) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S131257

B180210 Second Appellate District,
Division Three

STALLWORTH (MILTON) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.
Brown, J., was recused and did not participate.

S131316

A108773 First Appellate District,
Division Three

ANDRADE (LIBER R.) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S131317

A108748 First Appellate District,
Division Two

ZIN (JON) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S131323

A106637 First Appellate District,
Division Five

BOBUS v. DEPARTMENT OF MOTOR VEHICLES
Petition for review & depublication request denied

George, C.J., was absent and did not participate.

S131331

A104387 First Appellate District,
Division One

PEOPLE v. AVILA

Petition for review & publication request denied

George, C.J., was absent and did not participate.

S131342

E033488 Fourth Appellate District,
Division Two

PEOPLE v. ALCARAZ

Petitions for review denied

Appellant Edgar Zarate Martinez's petition for review is denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) 542 U.S. ___, 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S131344

A108536 First Appellate District,
Division Three

STOCKTON (DEAN) ON H.C.

Petition for review denied

George, C.J., was absent and did not participate.
Brown, J., was recused and did not participate.

S131348

F047020 Fifth Appellate District

PEYTON (LEE EDWARD) ON H.C.

Petition for review denied

George, C.J., was absent and did not participate.

S131361

F043528 Fifth Appellate District

PEOPLE v. EZERKIS

Petition for review denied

George, C.J., was absent and did not participate.

S131371

E037342 Fourth Appellate District,
Division Two

FORD v. S.C. (PEOPLE)

Petition for review and application for stay denied

George, C.J., was absent and did not participate.

S131425

F044850 Fifth Appellate District

REED (JAN WILLIAM) ON H.C.

Petition for review denied

George, C.J., was absent and did not participate.

S131432

B180592 Second Appellate District,
Division Three

HACKETT (SAMUEL L.) ON H.C.
Petition for review denied

George, C.J., was absent and did not participate.

S131505

C044576 Third Appellate District

PEOPLE v. BEAUDOIN
Petitions for review denied

denied without prejudice to any relief to which defendants might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S131510

B170853 Second Appellate District,
B172114 Division Two

HERNANDEZ v. BARCELO HOTELS & RESORTS
Petition for review denied

George, C.J., was absent and did not participate.

S131515

F042199 Fifth Appellate District

PEOPLE v. HASTINGS
Petition for review denied

George, C.J., was absent and did not participate.

S131518

C045006 Third Appellate District

PEOPLE v. MORGAN
Petitions for review denied

George, C.J., was absent and did not participate.

S131548

B173132 Second Appellate District,
Division Five

PEOPLE v. SMITH
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S131549

A105374 First Appellate District,
Division One

PEOPLE v. AMONS

Petition for review denied

George, C.J., was absent and did not participate.

S131555

A109128 First Appellate District,
Division One

LANGENDORF (TAYLOR) ON H.C.

Petition for review denied

George, C.J., was absent and did not participate.

S131570

A103610 First Appellate District,
Division Two

LEONHARDT v. AMERICAN TELEPHONE &
TELEGRAPH COMPANY

Petition for review & publication request denied

George, C.J., was absent and did not participate.

S131581

G031864 Fourth Appellate District,
Division Three

INLINE, INC. v. A.V.L. HOLDING COMPANY

Petition for review denied

George, C.J., was absent and did not participate.

S131588

B172946 Second Appellate District,
Division Five

PEOPLE v. HERNANDEZ

Petition for review denied

George, C.J., was absent and did not participate.

S131591

C044039 Third Appellate District

PEOPLE v. DOTSON

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S131634

A103481 First Appellate District,
Division Two

PEOPLE FOR THE ETHICAL TREATMENT OF
ANIMALS INC. v. CALIF MILK ADVISORY BD.
Petition for review denied

George, C.J., was absent and did not participate.

S131639
C046333 Third Appellate District

PENN-AMERICA INS. v. MIKES TAILORING
Petition for review denied

George, C.J., was absent and did not participate.

S131660
F041819 Fifth Appellate District

PEOPLE v. WRIGHT
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S131663
F044002 Fourth Appellate District,
Division One

PEOPLE v. WILLIAMS
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S131668
C043341 Third Appellate District

PEOPLE v. MARTINEZ
Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S131673
D043582 Fourth Appellate District,
Division One

PEOPLE v. CLARK
Petition for review denied

George, C.J., was absent and did not participate.

S131742

B171053 Second Appellate District,
Division Six

PEOPLE v. JIMENEZ

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S131745

B170395 Second Appellate District,
Division Eight

WEATHERLY v. UNIVERSAL MUSIC PUBLISHING

Petition for review & depublication request denied

George, C.J., was absent and did not participate.

S131800

B170754 Second Appellate District,
Division Six

PEOPLE v. THEURER

Petition for review denied

George, C.J., was absent and did not participate.

S131822

A101448 First Appellate District,
Division Four

LONGS DRUGS STORES v. SHEA

Petition for review denied

Request for judicial notice denied.

George, C.J., was absent and did not participate.

S131823

B164418 Second Appellate District,
Division Eight

PERSSON v. SMART INVENTIONS, INC.

Petitions for review denied

George, C.J., was absent and did not participate.

S131834

C048759 Third Appellate District

CALAVERAS, COUNTY OF v. S.C. (LANGSTON)

Petition for review denied

George, C.J., was absent and did not participate.

S131868

C046708 Third Appellate District

PEOPLE v. VALADEZ

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court

determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S131887
B170099 Second Appellate District,
Division Eight

SKOBIN v. COUNTY OF LOS ANGELES
Petition for review denied

George, C.J., was absent and did not participate.

S131939
H028282 Sixth Appellate District

PUETZ v. W.C.A.B. (QC FINANCIAL SERVICES)
Petition for review denied

George, C.J., was absent and did not participate.

S131943
C044902 Third Appellate District

PEOPLE v. LUNA
Petition for review denied

George, C.J., was absent and did not participate.

S131949
A103459 First Appellate District,
Division Two

ROMAN CATHOLIC WELFARE v. BENDINELLI
Petition for review & publication request denied

George, C.J., was absent and did not participate.

S132014
B180162 Second Appellate District,
Division Six

HILL v. S.C. (AXILROD)
Petition for review denied

George, C.J., was absent and did not participate.

S132017
A103827 First Appellate District,
A106673 Division Two

TERRY v. LEVENS
Petitions for review denied

George, C.J., was absent and did not participate.

S132049
B180354 Second Appellate District,
Division Eight

WOODLAWN MEMORIAL LITIGATION
Petition for review denied

George, C.J., was absent and did not participate.

S132053

A100963 First Appellate District,
Division Five

PEOPLE v. WASHINGTON

Petition for review denied

George, C.J., was absent and did not participate.

S132070

E034065 Fourth Appellate District,
Division Two

PEOPLE v. ARROYO

Petition for review & publication request denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132095

B175723 Second Appellate District,
Division Five

N. (PEYTON), IN RE

Petition for review denied

George, C.J., was absent and did not participate.

S132112

B172783 Second Appellate District,
Division One

PEOPLE v. JIMENEZ

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132113

E034872 Fourth Appellate District,
Division Two

PEOPLE v. TORRES

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132115

H026912 Sixth Appellate District

PEOPLE v. GARCIA

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531,

George, C.J., was absent and did not participate.

S132116B167487 Second Appellate District,
Division One

CRYOPORT SYSTEMS v. CNA FINANCIAL CORP.

Petition for review denied

George, C.J., was absent and did not participate.

S132136B171866 Second Appellate District,
Division Eight

PEOPLE v. DIAZ

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132140B172041 Second Appellate District,
Division Eight

PEOPLE v. LOPEZ

Petition for review denied

George, C.J., was absent and did not participate.

S132142D043192 Fourth Appellate District,
Division One

PEOPLE v. HILL

Petition for review denied

George, C.J., was absent and did not participate.

S132151B175561 Second Appellate District,
Division Three

PEOPLE v. RIOS

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and

People v. Towne, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132152

B173587 Second Appellate District,
Division One

PEOPLE v. WOOLEN

Petition for review denied

George, C.J., was absent and did not participate.

S132157

F044732 Fifth Appellate District

PEOPLE v. VALENCIA

Petition for review denied

George, C.J., was absent and did not participate.

S132160

F044603 Fifth Appellate District

PEOPLE v. SEWARD

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132161

B171884 Second Appellate District,
Division Six

PEOPLE v. MARZEC

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132162

A105264 First Appellate District,
Division Four

PEOPLE v. BRAY

Petition for review denied

George, C.J., was absent and did not participate.

S132164

A100574 First Appellate District,
Division Four

PEOPLE v. FORD

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132172

F043335 Fifth Appellate District

PEOPLE v. ALCAREZ

Petition for review denied

George, C.J., was absent and did not participate.

S132180

C043777 Third Appellate District

PEOPLE v. EGHTESADI

Petition for review denied

George, C.J., was absent and did not participate.

S132192

B173283 Second Appellate District,
Division Four

CAL-ASIA PROPERTY DEV. CO. v. DOMINGUEZ

Petition for review denied

George, C.J., was absent and did not participate.

S132195

F044184 Fifth Appellate District

PEOPLE v. MONTANO

Petition for review denied

George, C.J., was absent and did not participate.

S132204

A104808 First Appellate District,
Division Three

C. (NORMA) v. JEFFREY B.

Petition for review denied

George, C.J., was absent and did not participate.

S132212

E037567 Fourth Appellate District,
Division Two

FISHER v. S.C. (RYAN)

Petition for review denied

Request for judicial notice denied.

George, C.J., was absent and did not participate.

S132215
F044923 Fifth Appellate District

PEOPLE v. KAHOLOKULA
Petition for review denied

George, C.J., was absent and did not participate.

S132216
F047216 Fifth Appellate District

PEOPLE v. JACKSON-WAGNER
Petition for review denied

George, C.J., was absent and did not participate.
Baxter, J., was recused and did not participate.

S132222
B172341 Second Appellate District,
Division Eight

PEOPLE v. RANDOLPH
Petition for review denied

George, C.J., was absent and did not participate.

S132224
B171181 Second Appellate District,
Division Eight

PEOPLE v. CHANEY
Petition for review denied

George, C.J., was absent and did not participate.

S132225
F044708 Fifth Appellate District

PEOPLE v. WALKER
Petition for review denied

George, C.J., was absent and did not participate.

S132226
B174256 Second Appellate District,
Division Two

ROBIANES v. COUNTY OF LOS ANGELES
Petition for review denied

George, C.J., was absent and did not participate.

S132227
B171163 Second Appellate District,
Division Two

PEOPLE v. MIMS
Petition for review denied

George, C.J., was absent and did not participate.

S132228
B176220 Second Appellate District,
Division Four

PEOPLE v. BROWN
Petition for review denied

George, C.J., was absent and did not participate.

S132229

D044034 Fourth Appellate District,
Division One

PEOPLE v. ZIMMETH

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) ___ U.S. ___ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132234

F045730 Fifth Appellate District

PEOPLE v. GALLARDO

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) ___ U.S. ___ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132235

F045731 Fifth Appellate District

PEOPLE v. GALLARDO

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) ___ U.S. ___ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132237

E034863 Fourth Appellate District,
Division Two

PEOPLE v. FINCH

Petition for review denied

George, C.J., was absent and did not participate.

S132270

A106364 First Appellate District,
Division One

COLE, ESTATE OF

Petition for review denied

George, C.J., was absent and did not participate.

S132273

D043643 Fourth Appellate District,
D043644 Division One

PEOPLE v. SMITH

Petition for review denied

George, C.J., was absent and did not participate.

S132275

E035019 Fourth Appellate District,
Division Two

PEOPLE v. HERNANDEZ

Petition for review denied

George, C.J., was absent and did not participate.

S132278

A103369 First Appellate District,
Division One

PEOPLE v. PRESTON

Petition for review denied

George, C.J., was absent and did not participate.

S132279

B171277 Second Appellate District,
Division Six

PEOPLE v. HODGES

Petition for review denied

George, C.J., was absent and did not participate.

S132284

A107031 First Appellate District,
Division Four

PEOPLE v. RIVAS

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) ___ U.S. ___ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132289

C046966 Third Appellate District

W. (ETHAN), IN RE

Petition for review denied

George, C.J., was absent and did not participate.

S132290

B168100 Second Appellate District,
Division Six

PEOPLE v. VALENCIA

Petition for review denied

George, C.J., was absent and did not participate.

S132307

C044129 Third Appellate District

PEOPLE v. CUSHMAN

Petitions for review denied

denied without prejudice to any relief to which defendants might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132318

C044405 Third Appellate District

PEOPLE v. NUNEZ

Petition for review denied

George, C.J., was absent and did not participate.

S132320A104342 First Appellate District,
Division Five

PEOPLE v. GOY

Petition for review denied

George, C.J., was absent and did not participate.

S132322B174141 Second Appellate District,
Division Seven

PEOPLE v. PERALEZ

Petition for review denied

George, C.J., was absent and did not participate.

S132355B170958 Second Appellate District,
B174448 Division One

PEOPLE v. GARY

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132361

F045343 Fifth Appellate District

PEOPLE v. JAMES

Petition for review denied

George, C.J., was absent and did not participate.

S132362

F043463 Fifth Appellate District

PEOPLE v. ARELLANO

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132397

B175678 Second Appellate District,
Division Six

PEOPLE v. GOTTFRIED

Petition for review denied

denied without prejudice to any relief to which defendant might be entitled after this court determines in *People v. Black*, S126182, and *People v. Towne*, S125677, the effect of *Blakely v. Washington* (2004) __ U.S. __ 124 S.Ct. 2531, on California law.

George, C.J., was absent and did not participate.

S132416

D042922 Fourth Appellate District,
Division One

PEOPLE v. WATKINS

Petition for review denied

George, C.J., was absent and did not participate.

S132584

B181608 Second Appellate District,
Division Six

NBC UNIVERSAL INC. v. S.C. (PEOPLE-JACKSON)

Petition for review denied

George, C.J., was recused and did not participate.

Brown, J., was recused and did not participate.

S123319

ROBERTS (BRUCE EVAN) ON H.C.

Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S124543

MCLAUGHLIN (LEE) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S124600

HOOKS (VERNON) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S124615

CIERTO (RODNEY M.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)

George, C.J., was absent and did not participate.

S124642

HOUSTON (KEVIN) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

George, C.J., was absent and did not participate.

S124672

DE-LUIS-CONTI (GRAHAM R. L.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S124760

HAWKINS (ROBERT E.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S124805

HUMPLE (JEFFREY A.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S124816

GONZALEZ (MANUEL A.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S124993

READER (JASON DANIEL) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125012

SINCLAIR (NELSON) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125077

BROWN (LESLIE) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304.)

George, C.J., was absent and did not participate.

S125110

MARTI (ALEX) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125150

JOHNSON (TIMOTHY D.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

George, C.J., was absent and did not participate.

S125163

SESSOMS (TIO D.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125166

BARR (NATHAN) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125169

RODRIGUEZ (GERARDO S.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125252

WELCH (EUGENE E.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

George, C.J., was absent and did not participate.

S125253

DAO (AN VAN) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125258

ULLRICH (STEPHEN F.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;
In re Swain (1949) 34 Cal.2d 300, 304.)

George, C.J., was absent and did not participate.

S125273

LAUDERMILL (REGINALD) ON H.C.
Petition for writ of habeas corpus denied

(See *People v. Duvall* (1995) 9 Cal.4th 464, 474;
In re Dexter (1979) 25 Cal.3d 921.)

George, C.J., was absent and did not participate.

S125302

GONZALEZ (MANUEL A.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125365

THOMPSON (RAFT L.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125371

JONES (TYRONE L.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125374

WILLIAMS (RANDY) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

George, C.J., was absent and did not participate.

S125594

MEJIA (JIMMY G.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125597

JOHNSON (JESSIE) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S125726

WELCH (EUGENE E.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

George, C.J., was absent and did not participate.

S126856

GONZALEZ (MANUEL A.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127423

WELCH (EUGENE E.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127459

WELCH (EUGENE E.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S127877

SESSOMS (TIO DINERO) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

George, C.J., was absent and did not participate.

S132149

HOLLOWAY (KEVIN L.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Lessard* (1965) 62 Cal.2d 497, 503;
In re Dixon (1953) 41 Cal.2d 756.)

George, C.J., was absent and did not participate.

S132650

THOMAS (KEITH) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S132676

VELARDE (ROBERT P.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;
People v. Duvall (1995) 9 Cal.4th 464, 474.)

George, C.J., was absent and did not participate.

S132685

HERNANDEZ (RANDY) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S132686

EDMONTON (KENNETH I.) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;
People v. Duvall (1995) 9 Cal.4th 464, 474.)

George, C.J., was absent and did not participate.

S132690

CAROTHERS (JOHN W.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S132757

JENKINS (JAMAL ALBERT) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S132759

JENKINS (JAMAL ALBERT) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S132763

JENKINS (JAMAL ALBERT) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S132845

JENKINS (JAMAL ALBERT) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S132891

CORRIGAN (JOHN) ON H.C.
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218;
People v. Duvall (1995) 9 Cal.4th 464, 474.)

George, C.J., was absent and did not participate.

S132965

HORTON (ALBERT J.) ON H.C.
Petition for writ of habeas corpus denied

George, C.J., was absent and did not participate.

S132217

A109193 First Appellate District,
Division Five

CADLO v. S.C. (JOHN CRANE, INC.)
Publication request denied (case closed)

George, C.J., was absent and did not participate.

S132265

H026974 Sixth Appellate District

RAJAPPAN, MARRIAGE OF
Publication request denied (case closed)

George, C.J., was absent and did not participate.

S131536

E035607 Fourth Appellate District,
Division Two

PEOPLE v. LOPEZ
Time extended to grant or deny review

to June 1, 2005.

S131672

B171868 Second Appellate District,
Division Three

PEOPLE v. SANCHEZ
Time extended to grant or deny review

to June 1, 2005

S131770

A101620 First Appellate District,
A106524 Division Three

PEOPLE v. THURSTON
Time extended to grant or deny review

to May 27, 2005

S131784

A109007 First Appellate District,
Division Five

HAGAN (KEVIN) ON H.C.
Time extended to grant or deny review

to May 27, 2005.

S131795

C048868 Third Appellate District

REED (ALONZO) ON H.C.
Time extended to grant or deny review

to May 27, 2005.

S131797

D041563 Fourth Appellate District,
Division One

PEOPLE v. ALCAZAR

Time extended to grant or deny review

to May 27, 2005.

S131836

E033887 Fourth Appellate District,
Division Two

PEOPLE v. MERCHANT

Time extended to grant or deny review

to June 3, 2005

S131837

A103286 First Appellate District,
Division Two

PEOPLE v. POWELL

Time extended to grant or deny review

to June 2, 2005.

S131866

H026936 Sixth Appellate District

PEOPLE v. CRUZ

Time extended to grant or deny review

to May 31, 2005

S131880

B172093 Second Appellate District,
Division Three

PEOPLE v. SHAHIDZADEH

Time extended to grant or deny review

to May 27, 2005

S131890

H028439 Sixth Appellate District

NAKASHIMA (ROY M.) ON H.C.

Time extended to grant or deny review

to May 31, 2005

S131893

A109189 First Appellate District,
Division Four

WOODS (EARNEST CASSELL) ON H.C.

Time extended to grant or deny review

to May 27, 2005

S131905

C048905 Third Appellate District

MATTAUCH (MICHAEL) ON H.C.

Time extended to grant or deny review

to May 27, 2005.

S131917

H026158 Sixth Appellate District

PEOPLE v. WALSH

Time extended to grant or deny review

to June 2, 2005.

S131925

F047122 Fifth Appellate District

MCGRAW (DAVID H.) ON H.C.

Time extended to grant or deny review

to June 1, 2005.

S131930A105503 First Appellate District,
Division One

I. (M.), IN RE

Time extended to grant or deny review

to May 31, 2005

S131931

H028442 Sixth Appellate District

GUARDADO (PAUL ALBERT) ON H.C.

Time extended to grant or deny review

to May 31, 2005

S131935G032422 Fourth Appellate District,
Division Three

PEOPLE v. HO

Time extended to grant or deny review

to May 31, 2005.

S131944A105175 First Appellate District,
Division One

PEOPLE v. WELLS

Time extended to grant or deny review

to June 2, 2005.

S131957A105345 First Appellate District,
A105948 Division Two

L. (JOSHUA), IN RE

Time extended to grant or deny review

to June 8, 2005.

S131966B179776 Fourth Appellate District,
Division Two

WILSON (LONNIE B.) ON H.C.

Time extended to grant or deny review

to June 3, 2005

S131972

A108805 First Appellate District,
Division One

CARR (CHARLES) ON H.C.

Time extended to grant or deny review

to June 3, 2005

S131977

E033799 Fourth Appellate District,
Division Two

PEOPLE v. DUNCANSON

Time extended to grant or deny review

to June 3, 2005

S131982

C043044 Third Appellate District

PEOPLE v. JOHNSON

Time extended to grant or deny review

to June 2, 2005

S131983

B169639 Second Appellate District,
Division Seven

PEOPLE v. BENNETT

Time extended to grant or deny review

to June 3, 2005

S131994

C046195 Third Appellate District

PEOPLE v. PERAZA

Time extended to grant or deny review

to June 7, 2005.

S131995

C036614 Third Appellate District
C037039

PEOPLE v. VALDEZ

Time extended to grant or deny review

to June 6, 2005.

S132001

H027834 Sixth Appellate District

PEOPLE v. CHEATHAM

Time extended to grant or deny review

to June 6, 2005

S132006

H028425 Sixth Appellate District

MORENO (DAVID) ON H.C.

Time extended to grant or deny review

to June 6, 2005

S132007

A100436 First Appellate District,
Division Four

PEOPLE v. FOROUTAN

Time extended to grant or deny review

to June 3, 2005

S132042

G031791 Fourth Appellate District,
Division Three

PEOPLE v. MINOR

Time extended to grant or deny review

to June 7, 2005

S132050

B171801 Second Appellate District,
Division Six

PEOPLE v. FORD

Time extended to grant or deny review

to June 3, 2005

S132073

B181150 Second Appellate District,
Division One

JACKSON (ROBERT) ON H.C.

Time extended to grant or deny review

to June 8, 2005

S132084

C048993 Third Appellate District

REED (ALONZO) ON H.C.

Time extended to grant or deny review

to June 8, 2005.

S132096

G034474 Fourth Appellate District,
Division Three

POWELL (MICHAEL ANGELO) ON H.C.

Time extended to grant or deny review

to June 7, 2005

S132097

E037550 Fourth Appellate District,
Division Two

BOLLING (RONALD) IN RE

Time extended to grant or deny review

to June 9, 2005

S132102

E037508 Fourth Appellate District,
Division Two

PISCZEK (MARK) ON H.C.

Time extended to grant or deny review

to June 7, 2005

S132107

D043657 Fourth Appellate District,
Division One

PEOPLE v. CONTRERAS

Time extended to grant or deny review

to June 9, 2005

S132134

A109229 First Appellate District,
Division One

SIMMONS (MELVIN) ON H.C.

Time extended to grant or deny review

to June 8, 2005.

S132144

D042461 Fourth Appellate District,
Division One

PEOPLE v. PALACIOS

Time extended to grant or deny review

to June 9, 2005.

S132166

B181190 Second Appellate District,
Division Two

ALVAREZ (NICHOLAS) ON H.C.

Time extended to grant or deny review

to June 8, 2005

S132173

B180350 Second Appellate District,
Division Eight

CHINN (KOUNG H.) ON H.C.

Time extended to grant or deny review

to June 8, 2005

S132186

G032028 Fourth Appellate District,
Division Three

PEOPLE v. HAN

Time extended to grant or deny review

to June 9, 2005

S024471

PEOPLE v. WATSON (PAUL G.)

Extension of time granted

to June 20, 2005 to file appellant's reply brief.
After that date, no further extension will be
granted. Extension is granted based upon
Deputy State Public Defender Peter R. Silten's
representation that brief by 6/18/2005.

S026634

PEOPLE v. WATKINS (PAUL SODOA)
Extension of time granted

to June 20, 2005 to file appellant's reply brief. After that date, only two further extensions totaling about 72 additional days are contemplated. Extension is granted based upon Supervising Deputy State Public Defender Nina Rivkind's representation that she anticipates filing that brief by 8/31/2005.

S045078

PEOPLE v. CLARK (ROYAL)
Extension of time granted

to June 21, 2005 to file appellant's reply brief. After that date, only one further extension totaling about 60 additional days will be granted. Extension is granted based upon counsel Melissa Hill's representation that she anticipates filing that brief by 8/21/2005.

S049596

PEOPLE v. BRYANT, SMITH & WHEELER
Extension of time granted

to June 17, 2005 to file respondent's brief. After that date, only four further extensions totaling about 225 additional days are contemplated. Extension is granted based upon Supervising Deputy Attorney General Victoria B. Wilson's representation that she anticipates filing that brief by 2/1/2006.

S060500

PEOPLE v. D'ARCY (JONATHAN D.)
Extension of time granted

to June 24, 2005 to file respondent's brief. Extension is granted based upon Supervising Deputy Attorney General Gary W. Brozio's representation that he anticipates filing that brief by 6/24/2005. After that date, no further extension is contemplated.

S064733PEOPLE v. ABEL (JOHN C.)
Extension of time granted

to May 31, 2005 to file appellant's opening brief. After that date, only six further extensions totaling about 360 additional days will be granted. Extension is granted based upon Deputy State Public Defender Kate Johnston's representation that she anticipates filing that brief by 6/2006.

S068863PEOPLE v. SCOTT (DAVID LYNN)
Extension of time granted

to June 14, 2005 to file appellant's opening brief. After that date, only two further extensions totaling about 110 additional days will be granted. Extension is granted based upon counsel Glen Niemy's representation that he anticipates filing that brief by 10/1/2005.

S075699PEOPLE v. MARTINEZ (MIGUEL)
Extension of time granted

to May 23, 2005 to file appellant's opening brief. Extension is granted based upon Deputy State Public Defender Raoul D. Schonemann's representation that he anticipates filing that brief by 5/23/2005. After that date, no further extension will be granted.

S076339PEOPLE v. GRIMES (GARY L.)
Extension of time granted

to June 14, 2005 to file appellant's opening brief.

S126851LENART (THOMAS) ON H.C.
Extension of time granted

to May 18, 2005 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 20 additional days will

be granted. Extension is granted based upon counsel Phyllis Quatman's representation that she anticipates filing that document by 6/8/2005.

S024599

PEOPLE v. JONES (MICHAEL LAMONT)
Withdrawal of counsel allowed by order

Good cause appearing, the separate applications of appointed lead and associate counsel for permission to withdraw as attorneys of record for condemned prisoner Michael Lamont Jones, filed March 30, 2005, are granted.

The order appointing William M. Flenniken, Jr., and Kent A. Russell as lead and associate counsel of record, respectively, for condemned prisoner Michael Lamont Jones, filed November 15, 1995, is hereby vacated.

The Federal Public Defender for the Central District of California is hereby appointed attorney of record for condemned prisoner Michael Lamont Jones. Counsel is appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

George, C.J., was absent and did not participate.

S114347

ARIAS (PEDRO) ON H.C.
Motion denied

Petitioner's "Motion for Calendar Preference," filed on February 7, 2005, is denied.

George, C.J., was absent and did not participate.

S122414

FARNAM (JACK) ON H.C.
Order filed

The "Application for Extension of Time and Stay of Habeas Corpus Proceedings in Order to Permit Counsel to Prepare and Submit a Confidential Funds Request, As Well As Seek

Necessary Expert Assistance,” filed on April 1, 2005, is granted in part as follows: Good cause appearing, counsel’s request for an extension of time to file the reply to the supplemental response is granted to May 4, 2005. After that date, no further extension is contemplated. The request for a stay of habeas corpus proceedings is denied.

George, C.J., was absent and did not participate.

S125643

A101754 First Appellate District,
Division Five

M. (K.) v. G. (E.)

Order filed (see below)

S125912

C042077 Third Appellate District

B. (ELISA) v. S.C. (EMILY B.)

Order filed (see below)

S126945

B167799 Second Appellate District,
Division Three

H. (KRISTINE) v. R. (LISA)

Order filed (see below)

The request for joinder by the California Psychological Association ("CPA") to join in the amici curiae Northern California Association of Counsel for Children ("NCACC") and National Association of Counsel for Children ("NACC") is hereby granted.

S133032

HART ON RESIGNATION

Resignation accepted with disc. proceeding pending

The voluntary resignation of **Geoffrey Gordon Hart, State Bar No. 127595**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S133034**BIRT ON RESIGNATION**

Resignation accepted with disc. proceeding pending

The voluntary resignation of **James Austin Birt, State Bar No. 156283**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S133036**NANCE ON RESIGNATION**

Resignation accepted with disc. proceeding pending

The voluntary resignation of **CHRISTOPHER JAMES NANCE, State Bar No. 118066**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* Costs are awarded to the State Bar.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S133047**YORK ON RESIGNATION**

The voluntary resignation of **Daniel Stephen York, State Bar No. 132820**, as a member of the State Bar of California is accepted.

S133048**STOVER ON RESIGNATION**

The voluntary resignation of **Martha Ellen Stover, State Bar No. 162778**, as a member of the State Bar of California is accepted.

S133049

ROSS ON RESIGNATION

The voluntary resignation of **Sarah Pratt Ross, State Bar No. 51470**, as a member of the State Bar of California is accepted.

S133050

ROBERTO ON RESIGNATION

The voluntary resignation of **John Frank Roberto, State Bar No. 72392**, as a member of the State Bar of California is accepted.

S133051

PARASOL ON RESIGNATION

The voluntary resignation of **Ruth Monicka Parasol, State Bar No. 160708**, as a member of the State Bar of California is accepted.

S133052

LEHMAN ON RESIGNATION

The voluntary resignation of **Mary Dorcas Lehman, State Bar No. 121886**, as a member of the State Bar of California is accepted.

S133053

HUCKLE ON RESIGNATION

The voluntary resignation of **JOHN W. HUCKLE, State Bar No. 52484**, as a member of the State Bar of California is accepted.

S133054

HENGLE ON RESIGNATION

The voluntary resignation of **LYNNE CAROL HENGLE, State Bar No. 71174**, as a member of the State Bar of California is accepted.

S133055

HAAS ON RESIGNATION

The voluntary resignation of **SANDRA JANE HAAS, State Bar No. 63224**, as a member of the State Bar of California is accepted.

S133056

GOLDMACHER ON RESIGNATION

The voluntary resignation of **SHEILA LEE GOLDMACHER, State Bar No. 99710**, as a member of the State Bar of California is accepted.

S133057

FERENSTEIN ON RESIGNATION

The voluntary resignation of **MARVIN L. FERENSTEIN, State Bar No. 34102**, as a member of the State Bar of California is accepted.

B176464 Second Appellate District

GARY CRAMER v. SUPERIOR COURT OF L.A.
Order filed

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division One to Division Five.

B176863 Second Appellate District

BARTON PROPERTIES, INC. v. CITY OF L.A.
Order filed

The above-entitled matter, now pending in the Court of Appeal, Second Appellate District, is transferred from Division Five to Division One.

